



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145)
CEPOA-CO-R
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE:	24 April 2006
EXPIRATION DATE:	23 May 2006
REFERENCE NUMBER:	POA-1995-364-4
WATERWAY:	Colville River 16

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: U.S. Bureau of Indian Affairs (BIA), P.O. Box 25520, Juneau, Alaska 99802-5520.

LOCATION: The proposed project is located within sections 13, 24 and 25, T. 10 N., R. 4 E., sections 18, 19, 30 and 31, T. 10 N., R. 5 E., and sections 6 and 7, T. 9 N., R. 4 E., Umiat Meridian; Latitude 70.25° N., Longitude 151.0° W.; Nuiqsut, Alaska.

PURPOSE: To provide acceptable access to the Colville River, thus greatly enhancing transport of supplies from the river and an unobstructed throughfare to hunting and fishing areas.

WORK: BIA is proposing to place approximately 52,870 cubic yards of select borrow material on 7 acres of wetlands to construct a new single lane, 3.8 mile road from the end of the existing fresh water lake road to the Colville River. Typical road cross section consists of a 25 foot footprint, with a 14 foot crown width and side slopes of 2H:1V. Road turnouts approximately 300 foot long x 10 foot wide will be spaced approximately 620 feet apart. The road will end in a cul-de-sac and not encroach on the Colville River.

ADDITIONAL INFORMATION: The applicant was issued a Department of the Army (DA) permit for the proposed road on May 23, 2002 that expired on May 31, 2005. BIA has downsized the project due to funding issues and submitted this new application. Approximately 24 acres of wetlands were to be impacted in the original permit, but with the redesign only 7 acres of wetlands will be impacted.

MITIGATION: The State of Alaska, Office of Habitat Management and Permitting, issued three Fish Habitat Permits on March 20, 2006 for stream crossings. Conditions were included in the permits to protect fish species.

BIA is planning winter construction that would minimize construction impacts.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the

Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS). We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Jim Wolfe at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at james.wolfe@poa02.usace.army.mil if further information is desired concerning this notice.

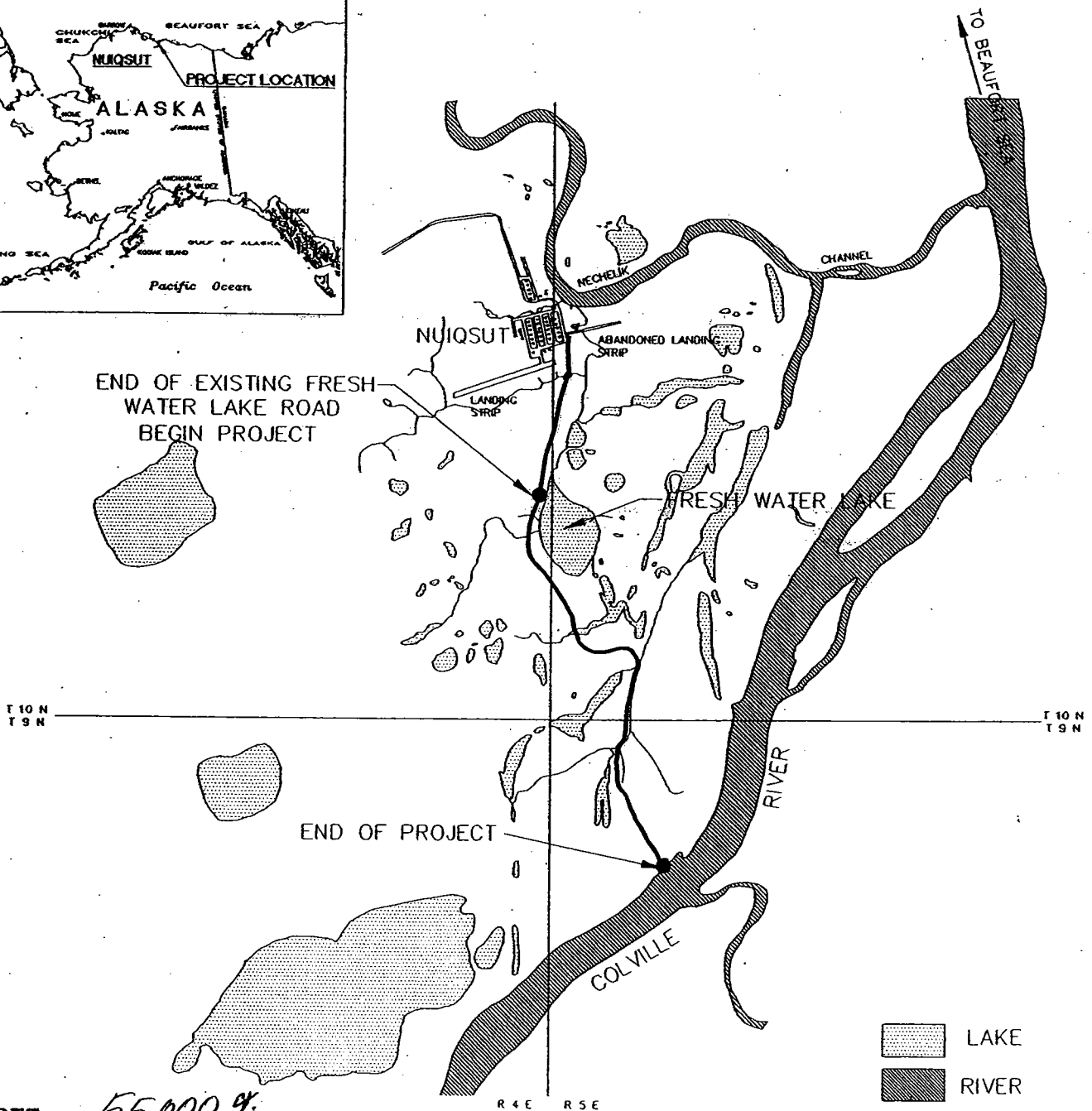
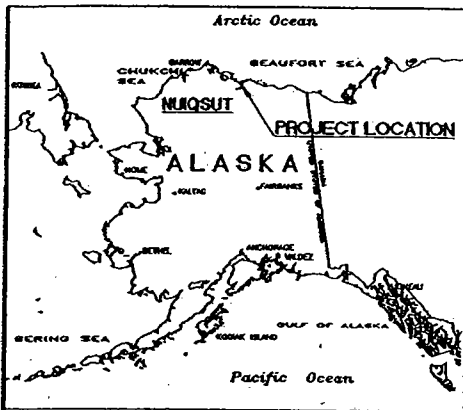
AUTHORITY: This permit will be issued or denied under the following authority:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



NOTE: 55,000 yd.
PROPOSED PROJECT WOULD PLACE
APPROX. 198,200 CY. OF GRAVEL FILL

2-950364

PURPOSE:

Provide Safe Roadway
Access to the Banks
of the Colville River

WATERWAY:

Colville River

PROPERTY OWNERS:

Village of Nuiqsut
Kuupik Corporation

VICINITY MAP

FIGURE 1

APPLICANT:

Bureau of Indian Affairs

AGENT:

ASCG INC.
301 Arctic Slope Ave., Suite 200
Anchorage, Alaska 99518-3035

PROPOSED 1997

NUIQSUT ROADWAY

LOCATION: NUIQSUT

NORTH SLOPE BOROUGH, AK

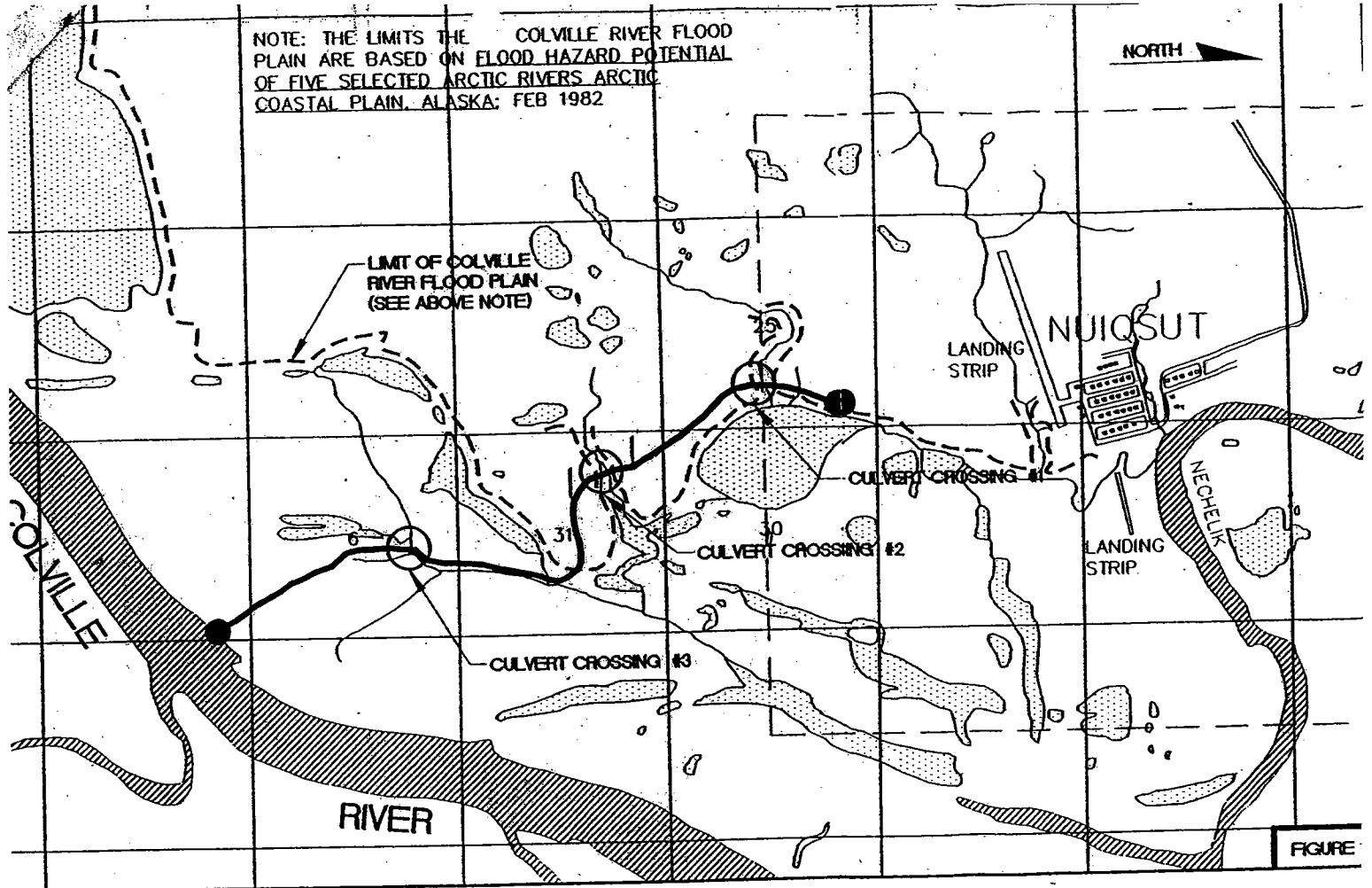
SHEET 1 OF 7

2681

JULY 1995

NOTE: THE LIMITS THE COLVILLE RIVER FLOOD PLAIN ARE BASED ON FLOOD HAZARD POTENTIAL OF FIVE SELECTED ARCTIC RIVERS ARCTIC COASTAL PLAIN, ALASKA; FEB 1982

NORTH

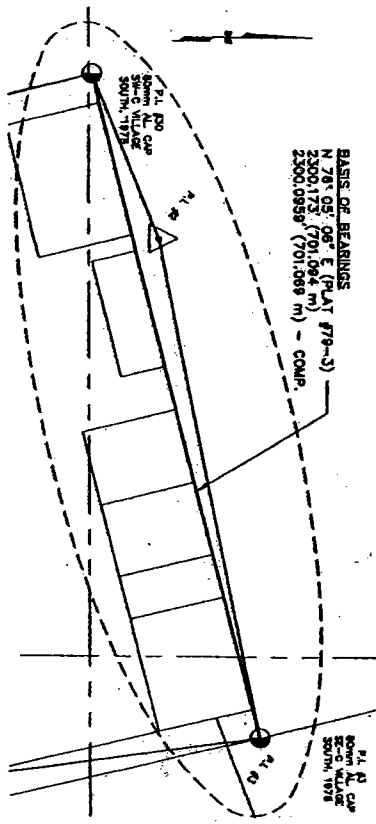
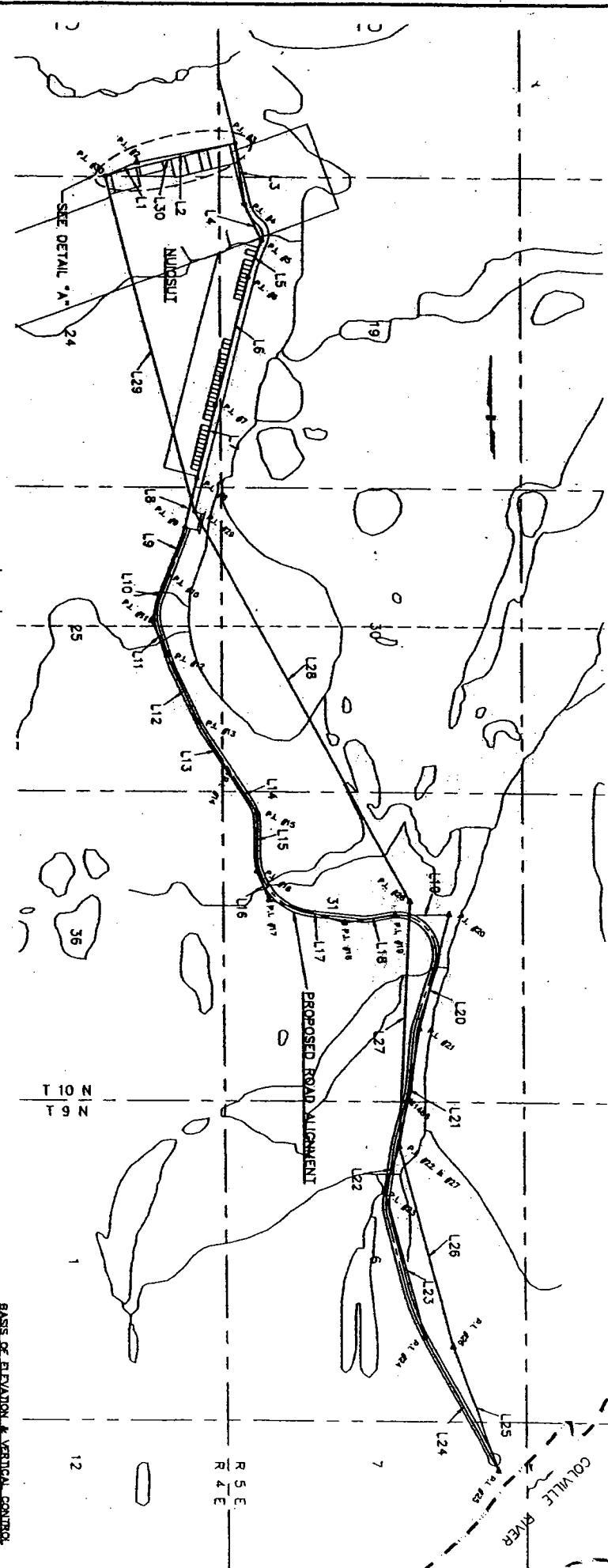


2-950364

fig. 3

Nuqsut Roadway
Sheet 2 of 7

STATE	ROUTE	SECTION	DATE	SHEET
ALASKA	48	1	1983	2



BASIS OF BEARINGS
 N 78° 03' 08" E (PLAN 878-3)
 2300.173 (701.044 m) - CORP.
 2300.089 (701.068 m) - CORP.

DETAIL "A"

LINE	DESCRIPTION	BEARING	DISTANCE	DATE
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LINE	DESCRIPTION	BEARING	DISTANCE	DATE
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BASES OF ELEVATION & VERTICAL CONTROL
 TBM PP-1 ELEV=14,885 m SPIKE IN NORTH
 SIDE OF POWER POLE & SCS SOUTH SIDE
 OF FIRST AVENUE, WEST OF NSB BUILDING.
 ELEVATIONS OF PROJECT TBMS MAY HAVE
 CHANGED SINCE THE 1984 DESIGN SURVEY.
 VERIFY/ESTABLISH ELEVATIONS OF TBMS
 PRIOR TO CONSTRUCTION.

SURVEY SYMBOLS

- FOUND ALUM. CAP MONUMENT
- △ SET SPIKE, REBAR OR PK NAIL

ASNT

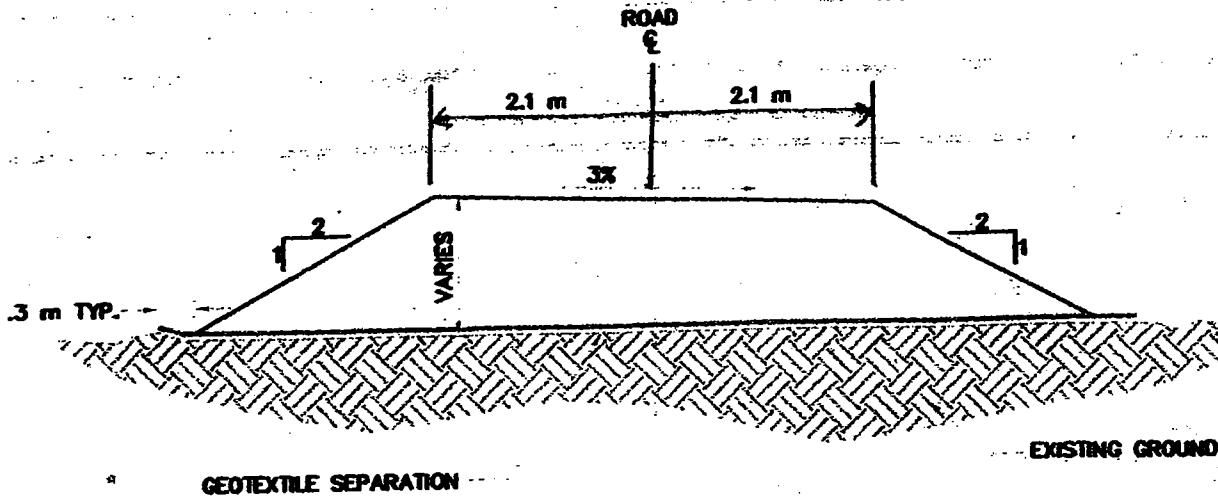
DEPARTMENT OF THE INTERIOR

NUISUT/COLVILLE RIVER ACCESS ROAD

DESIGNED BY: JAL
 DRAWN BY: JAL
 CHECKED BY: CSM
 SHEET NO. 7

Sheet 3 of 7

STATE	ROUTE	SECTION	TOWNSHIP	RANGE	MERIDIAN	YEAR
ALASKA	42	VARIES	T 9810	R 145	UNAT	2004



NOTES:

1. SEE STANDARD DETAIL I-81.00[M] FOR SUPERELEVATION DETAILS.

2. ROTATE SUPERELEVATION ABOUT CENTERLINE.

3. CROSS SLOPE TRANSITIONS SHALL BE 50 METERS LONG, DESIGNED CONSISTENT WITH STANDARD DETAIL I-81.00 (M), AND SHALL BE LOCATED ENTIRELY ON THE TANGENT ADJACENT TO THE CURVE. BETWEEN CURVES THE ROADWAY HAS A CONSTANT PLANE CROSS SLOPE OF 3% EXCEPT FOR TRANSITION AREAS. TRANSITIONS ARE DESIGNED TO REVERSE THE CROSS SLOPE AS NECESSARY SO AS TO ACHIEVE 3% SUPERELEVATION WITHIN THE CURVES.

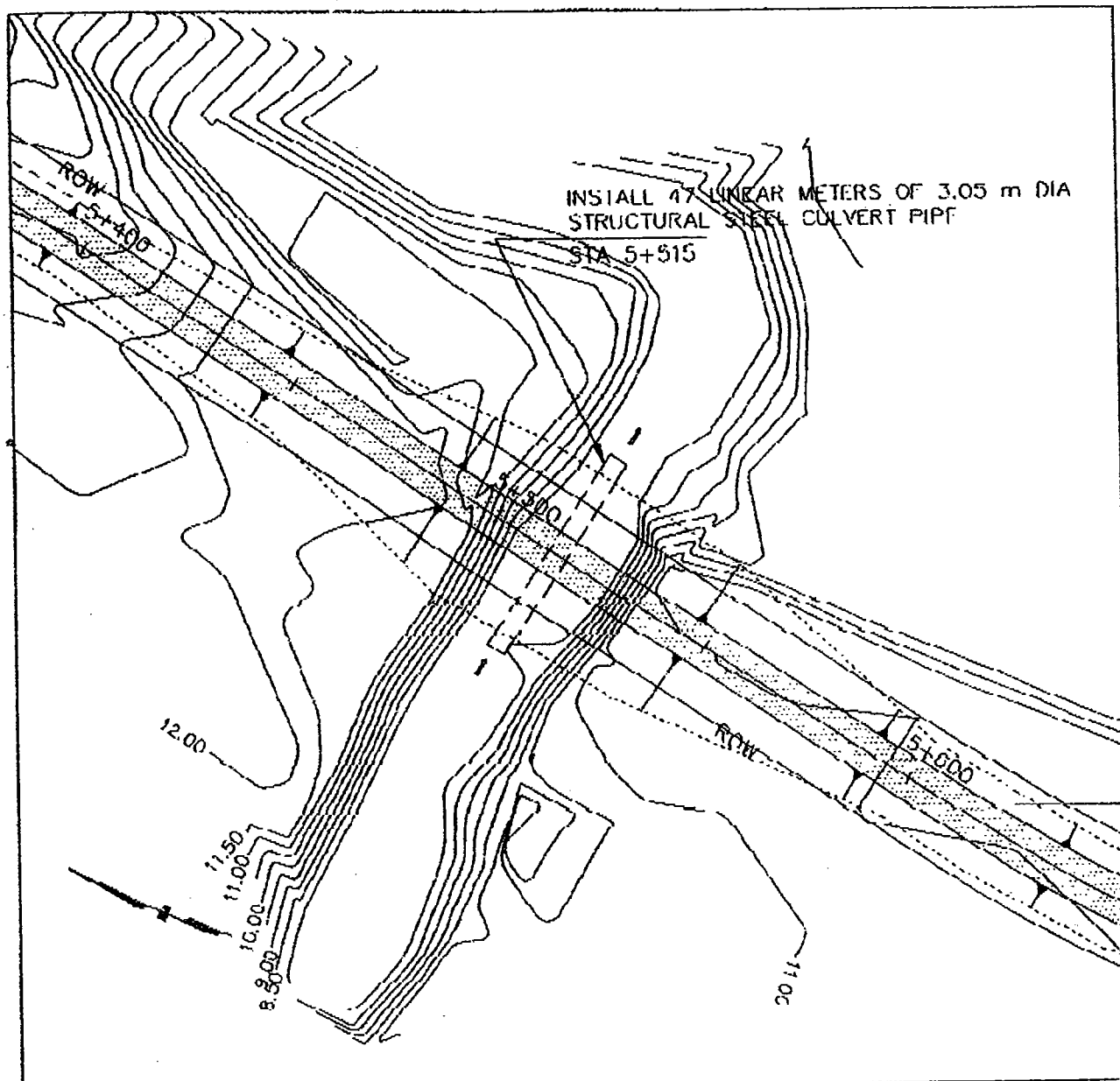
4. SEE STD DRAWINGS D-08.01[M] AND D-07.00[M] FOR CULVERT DETAILS.

5. FILL CRITERIA WILL BE AS FOLLOWS:

0.8m MINIMUM FILL FROM BOP TO 3+900
1.2m MINIMUM FILL FROM 3+950 TO 4+100
0.75m MINIMUM FILL FROM 4+300 TO EOP



TYPICAL ROAD CROSS SECTION



NOT TO SCALE

DIMENSIONS SHOWN IN METRIC

PURPOSE:

Provide Safe Roadway
Access to the Banks
of the Colville River

PROPERTY OWNER:

Village of Nuiqsut
Kupik Corporation

TYPICAL CULVERT**FIGURE 64****AGENT:**

ASCC INC.
301 Arctic Slope Ave., Suite 200
Anchorage, Alaska 99518 3035

**PROPOSED ROADWAY
CONSTRUCTION
NUIQSUT, ALASKA**

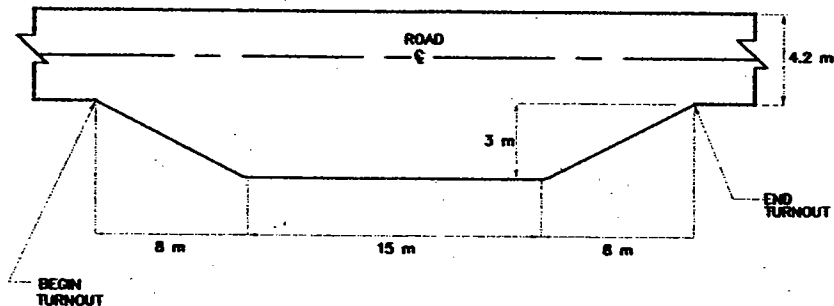
SHEET 6 OF 7

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Sheet 5 of 7

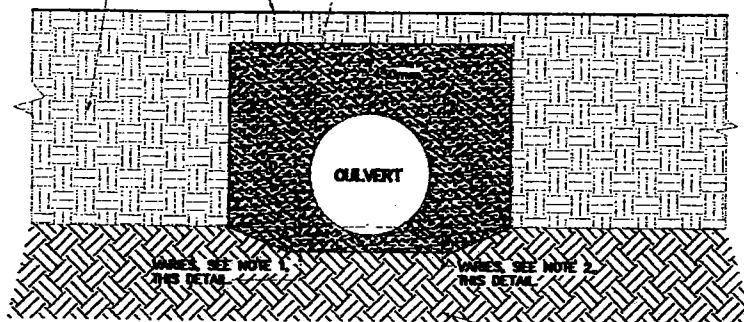


1
4
**TYPICAL ROAD
TURNOUT**
-RTS-

WITHIN THE NOTED LIMITS THE BEDDING MATERIAL SHALL BE COMPACTED TO 95% MINIMUM. BEDDING MATERIAL SHALL MEET THE REQUIREMENTS FOR SELECT MATERIAL, TYPE A, WITH THE ADDITIONAL REQUIREMENT THAT 100% OF THE MATERIAL PASSES THE 75mm SCREEN. BEDDING MATERIAL SHALL BE FREE OF FROZEN CLODS.

PROPOSED FINISHED ROAD SURFACE

SELECT BORROW COMPACTED TO 90% IN ROADWAY

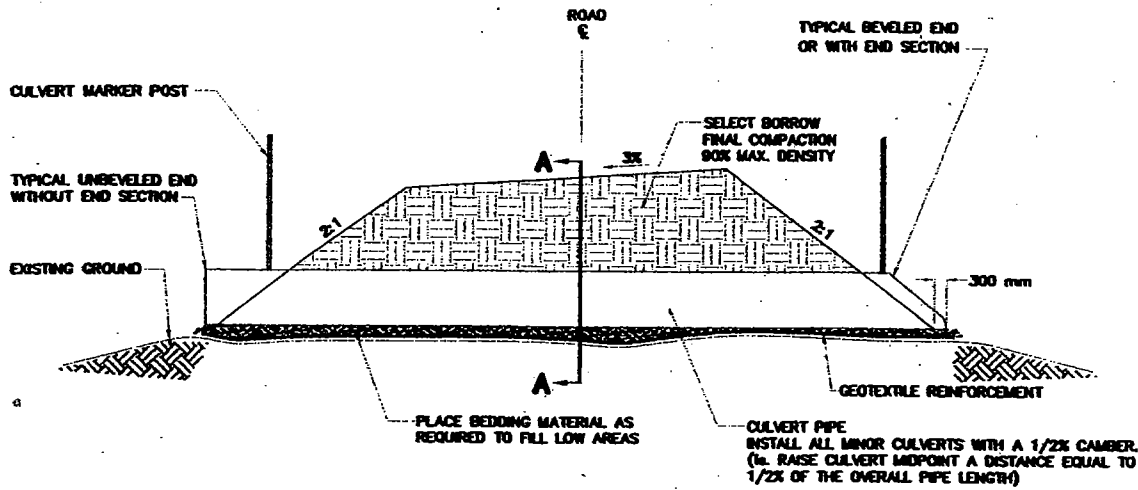


NOTES:

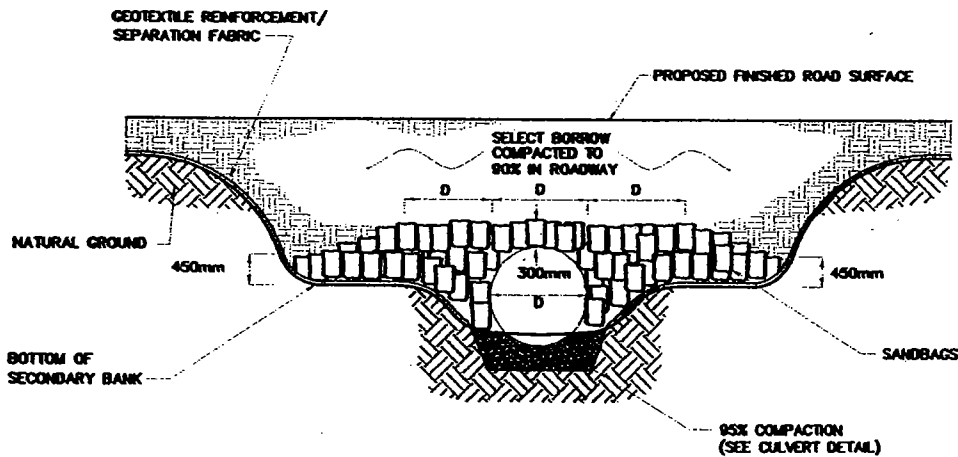
1. THE BEDDING DEPTH FOR 600mm DIAMETER CULVERTS AND SMALLER IS 100mm MINIMUM. THE BEDDING DEPTH FOR CULVERTS GREATER THAN 600mm DIAMETER IS 150mm MINIMUM.
2. FOR 600mm DIAMETER CULVERTS OR SMALLER, PLACE THE INVERT OF THE CULVERT INLETS 50mm BELOW NATURAL GROUND. FOR 900mm DIAMETER CULVERTS PLACE THE INVERT OF THE INLET 75mm BELOW NATURAL GROUND OR DRAINAGE BOTTOM. FOR THE 2500mm DIAMETER CULVERTS PLACE THE INVERT 450mm BELOW THE THALWEG.
3. WHERE APPLICABLE (CULVERT SLOPE = 0 OR LESS), THE INVERT OF THE OUTLET FOR ALL CULVERTS SHOULD BE AT NATURAL GROUND LEVEL.
4. INVERT FOR ALL PRACTICE PURPOSES MEANS THE BOTTOM OF THE CULVERT.
5. ALL CULVERTS TO BE INSTALLED WITH $\frac{1}{5} \times \frac{1}{70} \times \frac{1}{2}$ CAMBER (i.e. RAISE THE PIPE MIDPOINT A DISTANCE EQUAL TO 1.0% OF THE OVERALL PIPE LENGTH).
6. SEE SHEET 14 FOR CULVERT STREAM CROSSINGS.
7. DO NOT EXCAVATE OUTSIDE CULVERT FOOT PAD LENGTH.

4
4
**SECTION A-A
CULVERT DETAIL**
-RTS-

REV.	DATE	DESCRIPTION	BY	REV.	DATE	DESCRIPTION



2
4
**TYPICAL MINOR
CULVERT CROSSING**
-1075-



NOTES:

1. ALL CULVERTS WITH HEADWALLS AND END-SECTIONS ARE TO BE FIELD STAKED.
2. NOTES FOR DETAIL 4, THIS SHEET, APPLY HERE ALSO.
3. SANDBAGS SHOULD BE WHITE OR LIGHT IN COLOR AND APPROVED BY CONTRACTING OFFICER THROUGH A SUBMITTAL.
4. PLACE SANDBAGS LONGITUDINALLY DOWNSLOPE.
5. OVERLAP SANDBAGS SO THAT NO EMBANKMENT AREA IS EXPOSED.
6. SANDBAG PLACEMENT SHOULD STOP AT THE TOE OF THE EMBANKMENT.
7. FOR CULVERT AT STATION 14-467, PROTECT EMBANKMENT WITH OVERLAPPING SANDBAGS, 300mm ABOVE CULVERT AND 1800mm EITHER SIDE OF THE CENTER OF THE CULVERT, DOWN TO THE TOE OF THE EMBANKMENT.

STATE OF ALASKA

OFFICE OF THE GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

ALASKA COASTAL ZONE MANAGEMENT
550 WEST 7TH AVENUE, SUITE 1660
ANCHORAGE, ALASKA 99501-3568

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No.

POA-1995-364-4, Colville River 16, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

The Office of Project Management and Permitting requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the consistency review contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-1995-364-4, Colville River 16, State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-6281
FAX: (907) 269-7508